

EXHIBIT A

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1 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
2 Index No. 07CIV.8785 (HB) (FM)
-----X
3 PHILIP FEI, on behalf of himself and
classes of those similarly situated,
4
Plaintiff,
5
-against-
6
WEST LB AG,
7
Defendant.

8 -----X

9 3 Park Avenue
New York, New York

10

January 17, 2007

11

9:40 a.m.

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DEPOSITION of LISA CARRO,
a witness herein, taken by the Plaintiff, pursuant
to Article 31 of the Civil Practice Law & Rules of
Testimony, and Notice, held at the above-mentioned
time and place, before SARA FREUND, a shorthand
reporter and a Notary Public of the State of New
York.

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1 L. Carro

2 A. I don't recall. I assume it would have
3 been, but I can't give the exact date. I don't
4 know the exact date.

5 Q. My question is, do you know whether
6 WestLB hired a median before or after you and Mr.
7 Rieber had reviewed the e-mails?

8 A. We had reviewed the e-mails. Yes. As a
9 result of some of what we found we engaged the
10 consultant.

11 Q. So tell me for what purposes WestLB
12 engaged median?

13 A. We engaged median to determine what
14 exactly had happened with respect to the computers,
15 whether or not they had been tampered with, whether
16 or not our network may have been tampered with,
17 what documents may have been taken.

18 Q. Anything else?

19 A. That's primarily it.

20 Q. Was there a written agreement between
21 WestLB and median?

22 A. There was a contract. Yes.

23 Q. How much money did this investigation
24 cost?

25 A. It's still ongoing. We don't have a

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1 L. Carro

2 total.

3 Q. How much has it cost to date?

4 A. I don't know to date, but I can tell you
5 that the contract stated \$9,000 as an initial fee.

6 Q. They request an initial retainer of
7 \$9,000?

8 A. Yes.

9 Q. And what are the names of the
10 individuals of median conducting the investigation?

11 A. I don't know the names.

12 Q. Who would know the names?

13 A. More than likely our IT Department.

14 Q. What did median do in their
15 investigation?

16 A. The investigation is ongoing, so I
17 couldn't tell you.

18 Q. What have they done until now?

19 A. They have gotten information from our IT
20 Departments. They have met with our Information
21 Security people. They, I believe, have possession
22 of either the computers or the hard drives. I
23 couldn't say exactly with respect to the actual
24 computer or the hard drive. I'm sure a number of
25 other things that I'm not responsible for dealing

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1 L. Carro

2 to get some answers to those questions?

3 MR. BASSEN: Objection. Outside the
4 scope of the notice.

5 A. We're basically stalled at this point
6 with respect to that investigation.

7 Q. And for how long has WestLB been stalled
8 with respect to that investigation?

9 A. I couldn't say the exact amount of time.
10 It's been a number of months.

11 Q. Had it been since before October of 2006
12 -- excuse me, October of 2007?

13 A. With respect to the identity theft, the
14 fact that Mr. Fei e-mailed certain information to
15 himself using non-secure means has brought to our
16 attention the fact that we may need to do some
17 additional review of his computers to determine
18 whether or not he may have been the source of the
19 breach.

20 Q. Has WestLB conducted that review?

21 A. Mandeint is currently reviewing the
22 computers.

23 Q. Do you have any information regarding
24 Mandeint's findings?

25 A. No. It's an ongoing investigation.